

**REMARKS**

The new dependent claims are supported in the specification at page 12, line 1 (68 mm/sec), page 10, line 10 (92 mm/sec), page 11, line 1 (114 mm/sec), and page 9, line 17 (45 mm/sec).

§ 112. The claims were rejected under § 112, second paragraph, for being indefinite. This rejection is addressed by adding to claim 1 the feature that “the apparatus compris[es] means for rotating the cylindrical electrophotographic photoreceptor at predetermined peripheral speed V in mm/sec,” which is a structural feature under § 112, sixth paragraph. Predetermined speeds are recited at various places in the specification (e.g., 114 mm/sec at page 16, line 1) and the means for rotating is inherent in the disclosure and common knowledge in the art. The Applicant believes that every photocopier has a drum that rotates at a predetermined speed, because the various drums must be synchronized if an image is to be made.

The Applicant amends the drawing and specification to illustrate the means for rotating as required. The means is shown in “schematic” Fig. 1 (see page 6, line 6) by a schematic illustration of a driver 13. As the feature is illustrated schematically, in a schematic figure, there are no structural details added and so no new matter is entered,

Approval of the drawing and withdrawal of the rejection is requested.

Claim 2 is canceled and new claim 3 reiterates the subject matter of claim 2, but in the form of a method claim rather than an apparatus claim.

**Peripheral Speed.** In the discussion of peripheral speed on page 3 (under the discussion of the indefiniteness rejection), the Applicant respectfully submits that the Examiner has made a calculating error. The Examiner points out that the Kawamura '216 patent discloses water contact angles (the Applicant's quantity “A”) between 85° and 140°, and the Examiner asserts a thickness (the Applicant's “T”) of  $30\text{ }\mu\text{m} \pm 1\text{ }\mu\text{m}$ . At the lower end of the angle range, 85°, and using the Applicant's formula by taking  $T = 30^{0.2}$ , the product of Kawamura's  $A \times T^{0.2}$  is equal to  $85 \times 1.9744 = 167.8$ ; call this Q. According to the Applicant's claimed inequality,  $V^{0.1}$  is less than  $270/Q = 1.609$ , or, V is less than  $(1.609)^{10} = 116$ . Thus, the Applicant obtains that V is less than 116, not V is less than  $10^{20}$  as the Examiner asserts.

At the higher level of  $A = 140^\circ$ , V is smaller (calculated to be 0.79).

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The calculation is discussed further below.

§ 102. The claims were rejected under § 102 over Kawamura '216. This rejection is respectfully traversed.

(1) As was discussed above, assuming the particular value of 30  $\mu\text{m}$  for T does not lead to the very large value for V of  $10^{20}$ , but rather to 116 mm/sec. Of the three variables in the Applicant's formula—V, A, and T—one, the speed, is not mentioned in the reference. No relationship among the three variables is seen even be hinted at.

The Applicant claims a specific mathematical relationship among the three independent variables, i.e.,  $V^{0.1} \times A \times T^{0.2}$ , and, with respect, the reference does not disclose this. Even if, for argument's sake, Kawamura disclosed specific values of V, A, and T such that  $V^{0.1} \times A \times T^{0.2} < 270$  (this is not admitted), this would not anticipate the general formula, which encompasses combinations of V, A, and T wherein at least one of the three variables lies outside of the range disclosed by Kawamura.

(2) Since Kawamura discloses no value of V and no range of V, it cannot possibly disclose a combination of values in the V, A, and T have the specific relationship of the Applicant's claims.

(3) Furthermore, the new method claim would not be anticipated even if Kawamura did disclose a combination of V, A, and T within the scope of the Applicant's claims (not admitted). This is because such an hypothetical disclosure would be a pure accident and would not show the Applicant's *method* of setting the variables.

(4) The new dependent claims recites subject matter not disclosed by the applied art.

Respectfully submitted,



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